

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

789 NINTH & 414 EAST 74TH ASSOCIATES
LLC,

Plaintiff,

- against -

PRAKASH HUNDALANI and BINA HUNDALANI,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/15/2024

21 Civ. 5314 (VM)

ORDER


VICTOR MARRERO, United States District Judge.

The Court is in receipt of the parties' responses to the Court's January 10, 2024 Order (Dkt. No. 57) directing the parties to show cause why sanctions should not be imposed under Federal Rule of Civil Procedure 16(f) for their failure to comply with the Court's pre-trial orders, and to show cause why Plaintiff's action should not be dismissed for failure to prosecute under Federal Rule of Civil Procedure 41(b). (See Dkt. Nos. 58-59.) Upon review of these responses, the Court is satisfied that neither sanctions nor dismissal are warranted.

The parties are hereby directed to meet and confer to discuss whether a settlement can be reached on the remaining counts to be tried, including damages calculations on Counts IV and V, and to file a joint letter reporting back to the Court on the progress of these talks within thirty (30) days of the entry of this Order.

SO ORDERED.

Dated: 15 February 2024
New York, New York



Victor Marrero
U.S.D.J.